

PTO/SB/21 (09-04)

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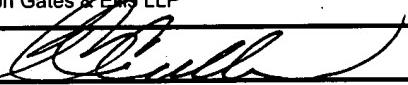
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	Application Number	10/623,239	
	Filing Date	07/17/2003	
	First Named Inventor	Fitzhugh, et al.	
	Art Unit	1615	
	Examiner Name		
Total Number of Pages in This Submission	12	Attorney Docket Number	PA497CON1 (51288-59)

ENCLOSURES (Check all that apply)

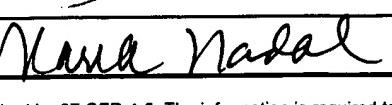
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Preliminary Amendment; 2. Postage paid postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Preston Gates & Elko LLP		
Signature			
Printed name	Louis C. Cullman		
Date	10/27/04	Reg. No.	39,645

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

Attorney Docket No.: PA497CON1 (51288-59)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fitzhugh, et al.

Serial No.: 10/623,239

Filed: July 17, 2003

Title: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING POLYMERS AND METHODS FOR THEIR MANUFACTURE AND USE



Conf. No.: 8121

Examiner: Unknown

Art Unit: 1615

RESPONSE TO NOTICE OF NON-COMPLIANT

AMENDMENT UNDER 37 C.F.R. §1.121

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being submitted in response to the Notice of Non-Compliant Amendment under 37 C.F.R. §1.121 mailed on October 1, 2004 for which a response is due November 1, 2004 in the above-identified U.S. patent application.

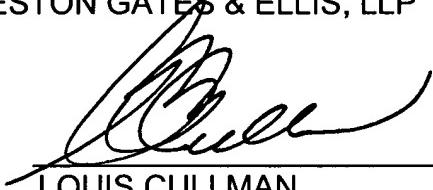
In the Notice of Non-Compliant Amendment the Examiner noted that the preliminary amendment that was filed with the above-identified U.S. patent application on July 17, 2003 was not permitted because all the claims must be presented with status identifiers. Applicants have revised their document and are resubmitting this preliminary amendment in the proper format with each claim properly identifying their status.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application. The Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3207 associated with this response.

Respectfully submitted,

PRESTON GATES & ELLIS, LLP

By:



LOUIS CULLMAN
Attorney for Applicant
Registration No. 39,645

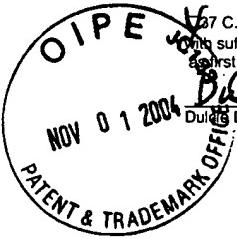
Date 10/27/04

Contact information below for inquiries regarding the above submission:

Customer No.: 28,390
Louis C. Cullman
Preston Gates Ellis LLP
(949) 253-0900 Telephone
(949) 253-0902 Fax

Enclosures: Preliminary Amendment, Transmittal.

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Art Unit: 1615

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PRELIMINARY AMENDMENT

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of other above-identified application please consider and enter the following:

Amendments to the Claims begin on page 2 of this paper.

Remarks being on page 9 of this paper.